



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 24/11/2021

WEB COPY

PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR

CRL OP(MD). No.18389 of 2021

Rethish Kumar

... Petitioner

Vs

State represented by
The Inspector of Police,
Thiruthangal Police Station,
Viruthunagar District.
Crime No.437/2021).

... Respondent

For Petitioner : Mr.M.Vinoth
Advocate.

For Respondent : Mr.R.Meenakshi Sundaram
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C

PRAYER :-

For Anticipatory Bail in Crime No.437/2021 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/accused No.1, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 363 of IPC and 5(1) and 6 of POCSO Act 2012, seeks anticipatory bail.

2.The learned counsel for the petitioner would submit that the defacto complainant has filed a petition in H.C.P.(MD)No.1398 of 2021 before this Court and the respondent police produced the victim girl before the Court and on an enquiry, the victim girl has expressed her willingness to go with her mother. Recording the same, the Habeas Corpus Petition was ordered to be closed.

3.The learned Government Advocate (Criminal Side) would submit that the victim girl, in her statement recorded under Section 164 of Cr.P.C., stated that she had physical relationship with the petitioner. He would further submit that the victim girl is aged 17 years at the time of occurrence.



4.Considering the seriousness and gravity of offences and the fact that the investigation is not yet completed, this Court is not inclined to grant anticipatory bail to the petitioner.

5.Accordingly, this Criminal Original Petition stands dismissed.

Sd/-
24/11/2021

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/ /2021

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

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Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO

1.THE INSPECTOR OF POLICE,
THIRUTHANGAL POLICE STATION,
VIRUTHUNAGAR DISTRICT.

2.THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.18389 of 2021
DATE:24.11.2021

VB/PN/SAR-IV/04.12.2021/2P/3C